

Michael Shipley (SBN 233674)  
KIRKLAND & ELLIS LLP  
2049 Century Park East  
Los Angeles, California 90067  
Tel: (213) 680-8400  
michael.shipley@kirkland.com

Devora W. Allon, P.C. (*Pro Hac Vice*)  
Kevin M. Neylan, Jr. (*Pro Hac Vice*)  
KIRKLAND & ELLIS LLP  
601 Lexington Avenue  
New York, New York 10022  
Tel: (212) 446-4800  
devora.allon@kirkland.com  
kevin.neylan@kirkland.com

*Counsel for Plaintiff*  
*Teva Pharmaceuticals USA, Inc.*

Additional Counsel for Plaintiff  
listed on signature page

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

Teva Pharmaceuticals USA, Inc.,  
  
Plaintiff,

v.

Corcept Therapeutics, Inc., and Optime Care  
Inc.,  
  
Defendants.

Case No. 5:24-cv-03567-NW

**L.R. 7-3(d)(2) STATEMENT OF  
RECENT DECISION BY JUDGE  
WISE RELEVANT TO PENDING  
DISCOVERY MOTIONS**

Ctrm: 2 – 5th Floor  
Judge: Honorable Virginia K. DeMarchi

1 To the Court and the Parties and their Counsel of Record, PLEASE TAKE NOTICE, pursuant  
2 to Local Civil Rule 7-3(d)(2), that on September 12, 2025, Judge Wise of the United States District  
3 Court for the Northern District of California issued a published decision in this case, *Teva*  
4 *Pharmaceuticals USA, Inc., v. Corcept Therapeutics, Inc., et al.*, No. 24-cv-03567-NW, Dkt. 134  
5 (N.D. Cal. Sept. 12, 2025). In the Court’s ruling on Defendants’ motion to dismiss, it addressed an  
6 issue relevant to Corcept’s pending motions to compel (Dkt. Nos. 131-132, 136), which have been  
7 fully briefed. *See, id.* at 27 (with respect to Teva’s antitrust kickback theory and Corcept’s related  
8 arguments, noting that whether “Teva also makes payments to prescribers is immaterial... because  
9 Teva’s actions are not the ones at issue here.”); *compare* Motions to Compel Dkt. 131 at 1-4, Dkt. 132  
10 at 1-4, and Dkt. 136 at 1-4 (Corcept arguing that it is entitled to discovery into Teva’s business  
11 decisions and actions unrelated to Mifepristone under an alternative causation theory).

1 Dated: September 19, 2025

Respectfully submitted,

2  
3 By: /s/ Michael Shipley

4 Michael Shipley  
5 KIRKLAND & ELLIS LLP  
6 2049 Century Park East  
7 Los Angeles, California 90067  
8 Tel: (213) 680-8400  
9 michael.shipley@kirkland.com

10 Devora W. Allon, P.C. (*Pro Hac Vice*)  
11 Kevin M. Neylan, Jr. (*Pro Hac Vice*)  
12 KIRKLAND & ELLIS LLP  
13 601 Lexington Avenue  
14 New York, NY 10022  
15 Tel: (212) 446 5967  
16 devora.allon@kirkland.com  
17 kevin.neylan@kirkland.com

18 Jennifer M. Joslin (*Pro Hac Vice*)  
19 KIRKLAND & ELLIS LLP  
20 95 South State Street  
21 Salt Lake City, UT 84111  
22 Tel: (801) 877-8144  
23 jennifer.joslin@kirkland.com

24 *Attorneys for Plaintiff*  
25 *Teva Pharmaceuticals USA, Inc.*  
26  
27  
28

**FILER'S ATTESTATION**

Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Michael Shipley, attest that concurrence in the filing of this document has been obtained.

*/s/ Michael Shipley*

Michael Shipley

**CERTIFICATE OF SERVICE**

I hereby certify that on September 19, 2025, I caused to be filed the foregoing document with the United States District Court for the Northern District of California using the CM/ECF system and caused it to be served on all registered participants via notice of electronic filing.

*/s/ Michael Shipley*

Michael Shipley